

REGULAR MEETING of the CORNWALL TOWN BOARD was held on the 10<sup>th</sup> day of June, 2013 in the First Floor Court Room, 183 Main Street, Cornwall, NY 12518

PRESENT: Supervisor  
Councilpersons

D. KEVIN QUIGLEY  
ALEXANDER MAZZOCCA  
ELIZABETH LONGINOTT  
RANDOLPH CLARK  
MARY BETH GREENE

Also PRESENT: STEVE GABA, representing attorney for Town, JAMES R. LOEB Esq.

**Pledge of Allegiance**

**Approval of Minutes** – May 13, 2013 Special Meeting; May 13, 2013 Regular Meeting; May 22, 2013 Special Meeting – A motion to approve was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Public Comment Agenda Items:** None

**Agenda Item #1 Victor Cornelius, Grant Writer** – Supervisor QUIGLEY advised that the Board would come back to this as Mr. Cornelius was running late.

**Agenda Item #2 – Resolution – Standard Work Day and Reporting** – Supervisor QUIGLEY advised that this was something that we had to do on an annual basis. BE IT RESOLVED, that the Town Board of the Town of Cornwall hereby establishes the following as standard work days for elected and appointed officials and will report the following time keeping system records or the record of activities maintained and submitted by these officials to the Town Clerk: A motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.  
**ROLL CALL VOTE:** Unanimous Aye

**Agenda Item #3 – Resolution – Canada Geese Management** – Supervisor QUIGLEY advised that the USDA was running this program to minimize the damage caused to airplanes at Stewart Airport. WHEREAS, a wildlife biologist from the United States Department of Agriculture APHIS Wildlife Services has been in touch with the Town in connection with Canada geese management, and

WHEREAS, the USDA has stated that the daily movements of geese creates a threat to human health and safety because they share critical air space with aircraft using Stewart International Airport and Stewart Air National Guard, and WHEREAS, the USDA Wildlife Services is prepared to take such steps as may be necessary to mitigate the threat to human health and safety created by the Canada geese at Rings Pond, all at no expense to the Town of Cornwall; and WHEREAS, the initial step to be taken is completion of a WS Form 12 which would grant USDA Wildlife Services permission to conduct work at Rings Pond, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby authorize the completion and submittal of WS Form 12 and does authorize the Supervisor to execute and submit the Form to the Wildlife biologist. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #4 – Resolution – Fanning Letter of Credit** – Supervisor QUIGLEY advised that this was a standard read-in for a renewal for a letter of credit. WHEREAS, heretofore Jeffrey L. Fanning had presented a letter of credit to the Town issued by M and T Bank in the amount of \$16,986.00 together with amendments which will expire on June 15, 2013, and WHEREAS, the Town Board has before it now a notice from M and T Bank automatically extending the original term of the letter of credit for an additional one-year period, NOW THEREFORE, BE IT RESOLVED as follows: Following a review by the Attorney for the Town the Town Board by this resolution determines to accept the notice dated June 4, 2013, which automatically extends the original letter of credit to June 15, 2014. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman LONGINOTT.  
**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #5 – Resolution – Hand Property** – Supervisor QUIGLEY explained that this resolution is regarding the Hand Property as was discussed at the Work Session. WHEREAS, heretofore the Town of Cornwall has expressed an interest in acquiring the Hand property on the eastside of Route 32 adjacent to the Town highway garage, and WHEREAS, the Supervisor has requested authorization from the Town Board to continue the negotiations, NOW, THEREFORE, BE IT RESOLVED as follows: That the Supervisor be and he hereby is authorized to continue negotiations for the acquisition of approximately 20 acres of lands of Hand on the eastside of Route 32 adjacent to the Town highway garage and to report back to

the Town Board as the negotiations proceed. A motion to approve was made by Councilwoman GREENE, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #6 – Resolution – Maser Consulting – Hydrologist** – Supervisor QUIGLEY advised that we will be obtaining the services of a hydrologist, employed by Maser Consulting to act as consulting expert for the Town in a matter of privately held wells in the Town of Cornwall. WHEREAS, heretofore the supervisor was authorized and directed to obtain a proposal from an expert hydrologist for the purpose of providing hydrogeologic services related to review of the Village of Kiryas Joel water supply application and the potential impacts on the Town's ground water resources, and WHEREAS, the Village of Cornwall-on-Hudson has expressed similar concerns regarding the potential adverse effects of the wells on the health and safety of its citizens, and WHEREAS, it would make fiscal sense for the two municipalities to share expenses in obtaining the services of an expert hydrologist, and WHEREAS, Maser Consulting P.A. has prepared and submitted the annexed proposal for hydrogeologic review services to both municipalities, NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby adopt the proposal of Maser Consulting P.A. and authorizes the Supervisor to sign Section IV of the annexed contract, and
2. That the Town Board does hereby further authorize the Supervisor to enter into an agreement with the Village for the payment of 50% of the cost of the annexed contract.

A motion to approve was made by Councilman CLARK, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #7 – Eagle Scout Project – American Legion Hall** – Supervisor QUIGLEY advised that John Zanin Jr. met with the Town Board to request permission to do an Eagle Scout project of building a patio and picnic tables at the American Legion Hall. All materials were donated and the project will be under the supervision of Albert Conley, Superintendent of Buildings & Grounds. A

motion to approve was made by Councilwoman GREENE, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #8 – US Postal Service – Option to Renew Lease – Mountainville –**

Supervisor QUIGLEY advised that this had to be read into the minutes as follows: The United States Postal Service has leased facilities from the Town in Mountainville for many years. A new lease was entered into in June of 2003 for a ten year term. The lease gives the US Postal Service two renewal options, each for five years. The Town has just received an exercise of renewal option from the Postal Service exercising its option to renew for an additional five year term from July 1, 2013 to June 30, 2018. The annual rental in the 2003 lease is \$11,100.00. Under the terms of the renewal options, the rental during the first five year renewal is \$12,864.00. A motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #9 – Fourth of July Fireworks –** Supervisor QUIGLEY advised that Legion Fireworks Co. was once again given the contract to perform the fireworks display. A motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #10 – Storm King Run –** Supervisor QUIGLEY advised that this is their second annual event for the Rotary Club of West Point. The Run will be held on Sunday, August 25, 2013. The proceeds will be used to provide scholarships for college to local high school students. Supervisor QUIGLEY added that they will have the required insurance and coordinate the route with Chief Hazard. A motion to approve was made by Councilman CLARK, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #11 – Personnel:**

**Police Department –** Chief Hazard requested that the Board consider appointing Michael D. Suttlehan as a part-time police officer effective June 26, 2013,

contingent upon successful background investigation. A motion to approve was made by Councilwoman GREENE, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Payroll Clerk** – Supervisor QUIGLEY advised that as previously discussed at the Work Session, the salary for Jennifer Dennis should be increased by \$3,000.00 for a total of \$40,080.00 due to an overall increase of responsibilities; in particular dealing with Human Resource issues. A motion to approve was made by Councilwoman GREENE, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Bookkeeper – KVS Summer Training School** – Supervisor QUIGLEY advised that our bookkeeper Pam Wood is requesting authorization to attend the KVS summer training school and conference to be held July 22 – 24 2013. The costs are \$475.00 for the conference, meals included and hotel accommodations for 3 nights at a rate of \$149.00 per night. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

#### **Committee Reports:**

**Building Department:** Councilman MAZZOCCA advised that the Building Department did a spring sweep by removing 44 illegal signs throughout the Town. 25 permits were issued, and the Mill Street clean-up was moving along.

**Cable:** Councilman MAZZOCCA advised that there are constant channel changes as usual.

**Fourth of July Spaghetti Dinner:** Councilman MAZZOCCA advised that there will be a spaghetti dinner fundraiser held on Saturday, June 15, 2013 starting at 5:00 P.M. at the St. Thomas School.

**Recreation Department:** Councilwoman LONGINOTT advised that Yoga for kids will be held from June 26<sup>th</sup> to August 11<sup>th</sup>; classes will not be held on July 10<sup>th</sup> 2013. The cost is \$55 per child, and the classes run from 9:00 A.M. to 9:45 A.M. at the COVAC building. There will be a free Youth Fishing Derby at Rings Pond on Saturday, June 22<sup>nd</sup> registration is at 8:00 A.M. and the event begins at 9:00 A.M.

to noon; you must be accompanied by an adult. The age groupings are, as follows: 5,6,7; 8,9,10; 11,12; and 13,14 limited bait will be provided. Free food, soft drinks and bottled water will be provided as well. Music Under the Stars -- July 6<sup>th</sup> leaving from Munger Cottage to West Point. Cost is \$5 for resident seniors; nonresident seniors must register by June 24<sup>th</sup>. You must have a photo I.D. Snacks and drinks are provided. Bring a blanket/chair and enjoy the fireworks. There is a trip scheduled to Bethlehem PA to the Sands Casino on June 18<sup>th</sup> 2013. The bus will be leaving Town Hall at 8:15 a.m. and return back at 6:00 p.m., and the cost is \$32 per person. Refreshments will be served on the bus.

**COVAC:** Councilman CLARK advised that he did not receive a report, but was aware that a glass door was shattered; it is believed to have been broken by a ball or a foot.

**Sewer:** Councilman CLARK advised that both Shore Road and Firthcliffe Operational Summaries for April met all permit limits.

**Town Seniors:** Councilwoman GREENE advised that the Town Seniors Coordinator is offering many programs for our seniors including an educational music program, there is the Senior Dining Program; all are welcome and the Golden Age Club. Please stop by and pick up a calendar.

**Police Department:** Councilwoman GREENE advised that the department has participated in a Stop DWI Program, and had received some grant funds for that project. If you are going on vacation, please come in and fill out a form so that the police can do house checks while you are gone. 30 house checks were done in May; which is a nice ounce of protection.

**Wells & Pipeline:** Councilwoman GREENE made a motion to send a letter to the NYS Department of Transportation, who has the jurisdiction over the installation of 13 miles of pipeline to serve the Village of Kirjas Joel. The letter should address the concerns that the Board has in regards to the Town's infrastructure already existing along the Rt. 32 corridor. For example the residents of the Firthcliffe Heights Water District, and also the Town residents; that are receiving water from the Village line. Councilwoman GREENE added that she thought that it was beneficial to also contemplate requesting the posting of a Bond in case any damage does occur to our infrastructure and a time table as to how repairs and

things would take place. The motion was seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Orrs Mills Traffic:** Councilman CLARK advised that he has received complaints about the traffic due to the bridge repair on Rt. 32 and Orrs Mills, in particular the left turn. Chief Hazard added that there have been 12 accidents since they have been doing the repairs. Councilman CLARK recommended that a temporary light be installed to help control the traffic as well as a safety measure. Councilman CLARK also suggested that we put the contractor on notice. A motion to send a letter to the NYS Department of Transportation Poughkeepsie Office with a cc: to Senator Larkin and Assemblyman Skoufis was made by Councilwoman GREENE, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Warrant #6:** Supervisor QUIGLEY called for a motion on Warrant #6, a motion to approve was made by Councilman CLARK, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #1 – Victor Cornelius, Grant Writer –** Mr. Cornelius apologized for being late, but stated that traffic was heavy due to the rain. Mr. Cornelius explained that he submitted a grant application to Greenway for \$10,000.00 to help support a joint effort with the Town and the Village for the preliminary engineering analysis for the Cornwall Wastewater Plant that would cost \$22,000.00. However, the Town was not eligible last year because the median household income was too high. This year due to vast increases in funding, the median income for the Town of Cornwall is now eligible. Mr. Cornelius stated that he did not know if the Town received a letter of rejection on this matter yet or not, but he just sent another letter out. Mr. Cornelius advised that there is a grant to cover engineering costs for wastewater issues. He met with the EFC (Environmental Facilities Corporation) last week in Albany and they are prioritizing all waterfront wastewater facilities. He also initiated a narrative for a Local Government Efficiency Grant, and they got back to him regarding a dovetail project with what the Village needs to do with its waterline replacement and with the engineering that the Town needs to do with its wastewater plant; that way the road is not being dug up twice. The other piece of the equation is a review of the Intermunicipal agreements between the two communities, and upon review,

it was discovered that even though the two municipalities are honoring the agreements; they expired over 20 years ago and the Local Government Efficiency grant wants to fund these types of joint projects. The third piece is which is the good news is that on January 31<sup>st</sup> our congress approved a 64 billion dollar Super Storm Sandy relief act; 35 billion of these funds are coming to New York State and 7.4 Billion is coming to the Hudson Valley. Mr. Cornelius is working with Congressman Maloney to ensure that a list of all the projects in the Hudson Valley gets submitted. Mr. Cornelius is also working with Mr. Mark Edsall representing engineer for the Town, and they have increased the grant request to 17.5 million dollars for the wastewater system. Mr. Cornelius stated that he was going to Washington to meet with Congressman Maloney, and invited any of the Board members to join him. Not wanting to miss out on an opportunity knowing that the Town & Village has contiguous issues regarding drainage on streets, water and wastewater issues; he met with Mayor Brendan Coyne, and came up with a \$6,235,000.00 request that was also passed on to Congressman Maloney's Office for improvements to village sewer issues, roads and waterlines. In addition, the Environmental Facilities Corporation has announced that from the Governor's portion of this Super Storm Sandy money the DRAA Program (Disaster Relief Appropriations Act) New York's share of the funding will be \$283,100,000.00. We are looking at a 17.5 million dollar project and the DRAA offers a blend of 30% grant and 70 financing at 0%. This program opens up next month and whatever we do not get in grant funds through Congressman Maloney's office; you will probably get a 30/70 split in funding. Councilwoman GREENE asked Mr. Cornelius how many grants did he submit. Mr. Cornelius responded that he submitted two, sent in the third, but that was the one on the LGE and they came back with "we want this portion and not that". The total amount that Mr. Cornelius has applied for is \$17.5 million, and he firmly believes that the Town will get a good portion of that. Mr. Cornelius advised that the funding streams have changed so rapidly with Federal cuts on one hand, and the same Congress turning around and voting on enormous amounts of money for infrastructure improvements. Councilman CLARK inquired if there are any other grants out there other than in the realm of wastewater issues. Mr. Cornelius advised that for the Village they were asking for anything that had to do with drainage, road repair, any infrastructure, and added that he could probably add an amendment if the Board wanted him to. Councilman CLARK asked if the Village had retained his services. Mr. Cornelius responded that not as yet, but he did not want to miss an opportunity. Mr. Cornelius advised that we had previously discussed the need to coordinate with



the Village as far as opening a road for example for a sewer issue, and then the Village re-opening the same road for a waterline issue. Councilman CLARK asked if Mr. Cornelius could do grants that do not pertain to wastewater issues, such as historical preservation. Mr. Cornelius responded that he could, and that there is one big pool in the Historical Preservation Pool that is in consolidated funding application process; which begins on the 17<sup>th</sup> and ends on the 28<sup>th</sup> of September. Mr. Cornelius advised that if you have a separate entity, not for profit, or community association, they should be the one to apply for the grant, because he did not want to see the Town compromise their shot of receiving a grant for the infrastructure issues at hand. He suggested that that entity have an excellent preservation architect. Mr. Cornelius advised that this is actually funded out of the Environmental Protection Fund, on a State level that is bottle return money and is not tax driven, and he knows that this year's pool of funds has been increased for New York State. Mr. Cornelius apologized to Mr. CLARK for not returning his call and stated that he would be more than happy to discuss this and added that he will be appearing before the Board more frequently now that things are in the works.

**Public Comment:** None

There being no further business to conduct a motion to adjourn was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye. Meeting adjourned at 8:35 P.M.

Renata McGee  
Town Clerk